

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Petition to )  
Revoke Probation Against: )**

**Leonor Alcaraz Ordonez, M.D. )**

**Case No. 800-2018-049047**

**Physician's and Surgeon's )  
Certificate No. A 82353 )**

**Respondent )**

**DECISION**

**The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.**

**This Decision shall become effective at 5:00 p.m. on March 26, 2019.**

**IT IS SO ORDERED March 19, 2019.**

**MEDICAL BOARD OF CALIFORNIA**

**By: Kimberly Kirchmeyer  
Kimberly Kirchmeyer  
Executive Director**

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 KAROLYN M. WESTFALL  
Deputy Attorney General  
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8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
11 **MEDICAL BOARD OF CALIFORNIA**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

13 In the Matter of the Petition to Revoke  
14 Probation Against:

15 **LEONOR ALCARAZ ORDONEZ, M.D.**  
16 1662 Picket Fence Dr.  
Chula Vista, CA 91915-1852

17 **Physician's and Surgeon's Certificate**  
18 **No. A 82353,**

19 Respondent.

Case No. 800-2018-049047

**STIPULATED SURRENDER OF  
LICENSE AND DISCIPLINARY ORDER**

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Kimberly Kirchmeyer (complainant) is the Executive Director of the Medical Board  
24 of California (Board). She brought this action solely in her official capacity and is represented in  
25 this matter by Xavier Becerra, Attorney General of the State of California, by Karolyn M.  
26 Westfall, Deputy Attorney General.

27 2. Leonor Alcaraz Ordóñez, M.D. (Respondent) is representing herself in this  
28 proceeding and has chosen not to exercise her right to be represented by counsel.

3. On or about March 19, 2003, the Board issued Physician's and Surgeon's Certificate No. A 82353 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Petition to Revoke Probation No. 800-2018-049047, expired on September 30, 2018, and has not been renewed.

## JURISDICTION

4. On or about February 4, 2019, Petition to Revoke Probation No. 800-2018-043047 was filed before the Board, and is currently pending against Respondent. A true and correct copy of Petition to Revoke Probation No. 800-2018-043047 and all other statutorily required documents were properly served on Respondent. Respondent elected to surrender her Physician's and Surgeon's Certificate No. A 82353. A copy of Petition to Revoke Probation No. 800-2018-043047 is attached as Exhibit 1 and incorporated by reference as if fully set forth herein.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Petition to Revoke Probation No. 800-2018-043047. Respondent also has carefully read, and fully understands the effects of this Stipulated Surrender of License and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in Petition to Revoke Probation No. 800-2018-049047; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded her pursuant to the California Administrative Procedure Act, the California Code of Civil Procedure, and all other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth and/or referenced above.

## CULPABILITY

8. Respondent does not contest that, at an administrative hearing, Complainant could establish a *prima facie* case with respect to the charges and allegations contained in Petition to

1 Revoke Probation No. 800-2018-043047, agrees that she has thereby subjected her Physician's  
2 and Surgeon's Certificate No. A 82353 to disciplinary action, and hereby surrenders her  
3 Physician's and Surgeon's Certificate No. A 82353 for the Board's formal acceptance.

4 9. Respondent further agrees that if she ever petitions for reinstatement of her  
5 Physician's and Surgeon's Certificate No. A 82353, or if an accusation is filed against her before  
6 the Medical Board of California, all of the charges and allegations contained in Petition to  
7 Revoke Probation No. 800-2018-043047 shall be deemed true, correct, and fully admitted by  
8 Respondent for purposes of any such proceeding or any other licensing proceeding involving  
9 Respondent in the State of California or elsewhere.

10 10. Respondent understands that by signing this stipulation she enables the Board to issue  
11 an order accepting the surrender of her Physician's and Surgeon's Certificate No. A 82353  
12 without further process.

### 13 CONTINGENCY

14 11. Pursuant to Business and Professions Code section 2224, subdivision (b), the  
15 Executive Director of the Medical Board of California has been delegated the authority to adopt  
16 or reject a stipulation for surrender of a Physician's and Surgeon's Certificate.

17 12. The parties agree that this Stipulated Surrender of License and Disciplinary Order  
18 shall be null and void and not binding upon the parties unless approved by the Executive Director  
19 on behalf of the Medical Board of California. Respondent fully understands and agrees that in  
20 deciding whether or not to approve and adopt this Stipulated Surrender of License and  
21 Disciplinary Order, the Executive Director and/or the Medical Board may receive oral and written  
22 communications from its staff and/or the Attorney General's Office. Communications pursuant  
23 to this paragraph shall not disqualify the Executive Director, the Board, any member thereof,  
24 and/or any other person from future participation in this or any other matter affecting or involving  
25 Respondent. In the event that the Executive Director on behalf of the Medical Board does not, in  
26 her discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order,  
27 with the exception of this paragraph, it shall not become effective, shall be of no evidentiary  
28 value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either

1 party hereto. Respondent further agrees that should this Stipulated Surrender of License and  
2 Disciplinary Order be rejected for any reason by the Executive Director on behalf of the Board,  
3 Respondent will assert no claim that the Board, or any member thereof, was prejudiced by  
4 its/his/his review, discussion and/or consideration of this Stipulated Surrender of License and  
5 Disciplinary Order or of any matter or matters related hereto.

6 13. The Executive Director shall have a reasonable period of time in which to consider  
7 and act on this stipulation after receiving it. By signing this stipulation, Respondent fully  
8 understands and agrees that she may not withdraw her agreement or seek to rescind this  
9 stipulation prior to the time the Executive Director considers and acts upon it.

#### 10 **ADDITIONAL PROVISIONS**

11 14. This Stipulated Surrender of License and Disciplinary Order is intended by the parties  
12 herein to be an integrated writing representing the complete, final and exclusive embodiment of  
13 the agreement of the parties in the above-entitled matter.

14 15. The parties understand and agree that copies of this Stipulated Surrender of License  
15 and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of  
16 original documents and signatures and, further, that such copies and signatures shall have the  
17 same force and effect as the originals.

18 16. In consideration of the foregoing admissions and stipulations, the parties agree that  
19 the Executive Director of the Medical Board may, without further notice to or opportunity to be  
20 heard by Respondent, issue and enter the following Order on behalf of the Board:

#### 21 **ORDER**

22 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 82353, issued  
23 to Respondent Leonor Alcaraz Ordonez, M.D., is surrendered and accepted by the Medical Board  
24 of California.

25 1. The surrender of Respondent's Physician's and Surgeon's Certificate No. A 82353  
26 and the acceptance of the surrendered license by the Board shall constitute the imposition of  
27 discipline against respondent. This stipulation constitutes a record of the discipline and shall  
28 become a part of Respondent's license history with the Medical Board of California.

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Petition to Revoke Probation No. 800-2018-043047 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

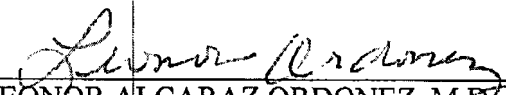
5. Respondent may not petition for reinstatement of a revoked or surrendered license for three (3) years from the effective date of this Decision.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Petition to Revoke Probation No. 800-2018-043047 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

#### ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Disciplinary Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. A 82353. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 3/4/19

  
LEONOR ALCARAZ ORDONEZ, M.D.  
Respondent

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**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: 3/11/19

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General

  
KAROLYN M. WESTFALL  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit 1**

**Petition to Revoke Probation No. 800-2018-049047**



FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO Feb 4 2019  
BY D. Richards ANALYST

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*Attorneys for Complainant*

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke  
Probation Against:

Case No. 800-2018-049047

**LEONOR ALCARAZ ORDONEZ, M.D.**  
1662 Picket Fence Dr.  
Chula Vista, CA 91915-1852

**PETITION TO REVOKE PROBATION**

**Physician's and Surgeon's Certificate  
No. A 82353,**

Respondent.

Complainant alleges:

**PARTIES**

1. Kimberly Kirchmeyer (complainant) brings this Petition to Revoke Probation solely in her official capacity as the Executive Director of the Medical Board of California (Board), Department of Consumer Affairs of the State of California.

2. On or about March 19, 2003, the Board issued Physician's and Surgeon's Certificate No. A 82353 to Leonor Alcaraz Ordonez, M.D. (respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein, has expired on September 30, 2018, and is currently in a delinquent status.

**PRIOR DISCIPLINE**

3. In a prior disciplinary action entitled "*In the Matter of the Accusation Against Leonor Alcaraz Ordonez, M.D.*," Case No. 800-2015-016477, the Board issued a Decision and Order, effective July 28, 2017, in which respondent's Physician's and Surgeon's Certificate No. A 82353 was revoked. The revocation was stayed, however, and respondent's Physician's and Surgeon's Certificate No. A 82353 was placed on probation for a period of six (6) years with certain terms and conditions. A true and correct copy of that Decision and Order is attached hereto as Exhibit 1 and incorporated by reference as if fully set forth herein.

4. A true and correct copy of the Board's Decision and Order in Case No. 800-2015-016477 was mailed to respondent on or about June 30, 2017.

5. A true and correct copy of the Board's Decision and Order in Case No. 800-2015-016477 was handed to respondent on or about July 25, 2017.

6. At all times after the effective date of respondent's probation in Case No. 800-2015-016477, Condition No. 13 of respondent's probation provided:

**"13. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE**

**ABUSING LICENSEES** Failure to fully comply with any term or condition of probation is a violation of probation.

"A. If respondent commits a major violation of probation as defined by section 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take one or more of the following actions:

"(1) Issue an immediate cease-practice order and order respondent to undergo a clinical diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of Regulations, at respondent's expense. The cease-practice order issued by the Board or its designee shall state that respondent must test negative for at least a month of continuous biological fluid testing before being allowed to resume practice. For purposes of determining the length of time a respondent must test negative while undergoing continuous biological fluid testing following issuance of a cease-practice order, a month is defined as thirty

1 calendar (30) days. Respondent may not resume the practice of medicine until notified  
2 in writing by the Board or its designee that she may do so.

3 “(2) Increase the frequency of biological fluid testing.

4 “(3) Refer respondent for further disciplinary action, such as suspension,  
5 revocation, or other action as determined by the Board or its designee.

6 “B. If respondent commits a minor violation of probation as defined by  
7 section 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the  
8 Board shall take one or more of the following actions:

9 “(1) Issue a cease-practice order;

10 “(2) Order practice limitations;

11 “(3) Order or increase supervision of respondent;

12 “(4) Order increased documentation;

13 “(5) Issue a citation and fine, or a warning letter;

14 “(6) Order respondent to undergo a clinical diagnostic evaluation to be  
15 conducted in accordance with section 1361.5, subdivision (c)(1), of Title 16 of the  
16 California Code of Regulations, at respondent’s expense;

17 “(7) Take any other action as determined by the Board or its designee.

18 “C. Nothing in this Decision shall be considered a limitation on the  
19 Board’s authority to revoke respondent’s probation if she has violated any term or  
20 condition of probation. If respondent violates probation in any respect, the Board,  
21 after giving respondent notice and the opportunity to be heard, may revoke probation  
22 and carry out the disciplinary order that was stayed. If an Accusation, or Petition to  
23 Revoke Probation, or an Interim Suspension Order is filed against respondent during  
24 probation, the Board shall have continuing jurisdiction until the matter is final, and the  
25 period of probation shall be extended until the matter is final.”

26 ///

27 ///

28 ///

7. At all times after the effective date of respondent's probation in Case No. 800-2015-016477, Condition No. 22 of respondent's probation provided:

"22. **VIOLATION OF PROBATION** Failure to fully comply with any term or condition of probation is a violation of probation. If respondent violates probation in any respect, the Board, after giving respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed against respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final."

8. On or about October 12, 2018, the Board issued and served a Cease Practice Order against respondent, immediately prohibiting her from engaging in the practice of medicine pending a final decision on the instant Petition to Revoke Probation. That Cease Practice Order was based on respondent's failure to obey Probationary Condition Nos. 4, 10, and 13 of the Board's Decision and Order in Case No. 800-2015-016477.

## JURISDICTION

9. This Petition to Revoke Probation is brought before the Board under the authority of the following laws and the Board's Decision and Order in the case entitled "*In the Matter of the Accusation Against Leonor Alcaraz Ordóñez, M.D.*," Case No. 800-2015-016477. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

10. Section 118 of the Code states, in pertinent part:

“... ”

“(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by

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1 law or to enter an order suspending or revoking the license or otherwise taking  
2 disciplinary action against the licensee on any such ground.

3 "..."

4 11. Section 2227 of the Code states, in pertinent part:

5 "(a) A licensee whose matter has been heard by an administrative law judge of the  
6 Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or  
7 whose default has been entered, and who is found guilty, or who has entered into a  
8 stipulation for disciplinary action with the board, may, in accordance with the provisions of  
9 this chapter:

10 "(1) Have his or her license revoked upon order of the board.

11 "(2) Have his or her right to practice suspended for a period not to exceed one year  
12 upon order of the board.

13 "(3) Be placed on probation and be required to pay the costs of probation monitoring  
14 upon order of the board.

15 "..."

16 "(5) Have any other action taken in relation to discipline as part of an order of  
17 probation, as the board or an administrative law judge may deem proper.

18 "..."

19 **CAUSE TO REVOKE PROBATION**

20 **(Failure to Abstain from Use of Alcohol)**

21 12. At all times after the effective date of respondent's probation in Case No. 800-2015-  
22 016477, Condition No. 4 of respondent's probation provided:

23 "4. **ALCOHOL - ABSTAIN FROM USE** Respondent shall abstain  
24 completely from the use of products or beverages containing alcohol."

25 13. At all times after the effective date of respondent's probation in Case No. 800-2015-  
26 016477, Condition No. 10 of respondent's probation provided:

27 "10. **BIOLOGICAL FLUID TESTING** Respondent shall immediately  
28 submit to biological fluid testing, at respondent's expense, upon request of the Board.

1 or its designee. "Biological fluid testing" may include, but is not limited to, urine,  
2 blood, breathalyzer, hair follicle testing, or similar drug screening approved by the  
3 Board or its designee. Respondent shall make daily contact with the Board or its  
4 designee to determine whether biological fluid testing is required. The Board may  
5 order a respondent to undergo a biological fluid test on any day, at any time, including  
6 weekends and holidays. Except when testing on a specific date as ordered by the  
7 Board or its designee, the scheduling of biological fluid testing shall be done on a  
8 random basis. The cost of biological fluid testing shall be borne by respondent.

9 "During the first year of probation, respondent shall be subject to 52 to 104  
10 random tests. During the second year of probation and for the duration of the  
11 probationary term, up to five (5) years, respondent shall be subject to 36 to 104  
12 random tests per year. Only if there has been no positive biological fluid tests in the  
13 previous five (5) consecutive years of probation, may testing be reduced to one (1)  
14 time per month. Nothing precludes the Board from increasing the number of random  
15 tests to the first-year level of frequency for any reason.

16 "Prior to practicing medicine, respondent shall contract with a laboratory or  
17 service, approved in advance by the Board or its designee, that will conduct random,  
18 unannounced, observed, biological fluid testing and meets all of the following  
19 standards:

20 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing  
21 Industry Association or have completed the training required to serve as a collector  
22 for the United States Department of Transportation.

23 (b) Its specimen collectors conform to the current United States Department of  
24 Transportation Specimen Collection Guidelines.

25 (c) Its testing locations comply with the Urine Specimen Collection Guidelines  
26 published by the United States Department of Transportation without regard to the  
27 type of test administered.

28 (d) Its specimen collectors observe the collection of testing specimens.

1 (e) Its laboratories are certified and accredited by the United States Department of  
2 Health and Human Services.

3 (f) Its testing locations shall submit a specimen to a laboratory within one (1)  
4 business day of receipt and all specimens collected shall be handled pursuant to chain  
5 of custody procedures. The laboratory shall process and analyze the specimens and  
6 provide legally defensible test results to the Board within seven (7) business days of  
7 receipt of the specimen. The Board will be notified of non-negative results within  
8 one (1) business day and will be notified of negative test results within seven (7)  
9 business days.

10 (g) Its testing locations possess all the materials, equipment, and technical expertise  
11 necessary in order to test respondent on any day of the week.

12 (h) Its testing locations are able to scientifically test for urine, blood, and hair  
13 specimens for the detection of alcohol and illegal and controlled substances.

14 (i) It maintains testing sites located throughout California.

15 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-  
16 line computer database that allows the Respondent to check in daily for testing.

17 (k) It maintains a secure, HIPAA-compliant website or computer system that allows  
18 staff access to drug test results and compliance reporting information that is available  
19 24 hours a day.

20 (l) It employs or contracts with toxicologists that are licensed physicians and have  
21 knowledge of substance abuse disorders and the appropriate medical training to  
22 interpret and evaluate laboratory biological fluid test results, medical histories, and  
23 any other information relevant to biomedical information.

24 (m) It will not consider a toxicology screen to be negative if a positive result is  
25 obtained while practicing, even if respondent holds a valid prescription for the  
26 substance.

27 ///

28 ///

1 "Prior to changing testing locations for any reason, including during vacation or  
2 other travel, alternative testing locations must be approved by the Board and meet the  
3 requirements above.

4 "The contract shall require that the laboratory directly notify the Board or its  
5 designee of non-negative results within one (1) business day and negative test results  
6 within seven (7) business days of the results becoming available. Respondent shall  
7 maintain this laboratory or service contract during the period of probation.

8 "A certified copy of any laboratory test result may be received in evidence in  
9 any proceedings between the Board and respondent.

10 "If a biological fluid test result indicates respondent has used, consumed,  
11 ingested, or administered to herself a prohibited substance, the Board shall order  
12 respondent to cease practice and instruct respondent to leave any place of work where  
13 respondent is practicing medicine or providing medical services. The Board shall  
14 immediately notify all of respondent's employers, supervisors and work monitors, if  
15 any, that respondent may not practice medicine or provide medical services while the  
16 cease-practice order is in effect.

17 "A biological fluid test will not be considered negative if a positive result is  
18 obtained while practicing, even if the practitioner holds a valid prescription for the  
19 substance. If no prohibited substance use exists, the Board shall lift the cease-practice  
20 order within one (1) business day.

21 "After the issuance of a cease-practice order, the Board shall determine whether  
22 the positive biological fluid test is in fact evidence of prohibited substance use by  
23 consulting with the specimen collector and the laboratory, communicating with the  
24 licensee, her treating physician(s), other health care provider, or group facilitator, as  
25 applicable.

26 "For purposes of this condition, the terms "biological fluid testing" and  
27 "testing" mean the acquisition and chemical analysis of a respondent's urine, blood,  
28 breath, or hair.



"For purposes of this condition, the term "prohibited substance" means an illegal drug, a lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by respondent and approved by the Board, alcohol, or any other substance respondent has been instructed by the Board not to use, consume, ingest, or administer to herself.

"If the Board confirms that a positive biological fluid test is evidence of use of a prohibited substance, respondent has committed a major violation, as defined in section 1361.52(a), and the Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to any other terms or conditions the Board determines are necessary for public protection or to enhance respondent's rehabilitation."

14. In or about July 2017, respondent entered into an agreement with FirstSource Solutions ("FirstSource").

15. Pursuant to Condition No. 10 of respondent's probation and the agreement entered into between respondent and FirstSource, respondent was required, among others, to submit to random biological fluid tests administered by FirstSource. If selected for testing, respondent was then required to report to a FirstSource approved testing site and be tested that same day.

16. On or about September 25, 2018, respondent was selected to provide a special biological fluid test. On the same day, respondent provided a blood sample. A few days later, a toxicology analysis was conducted by United States Drug Testing Laboratories using respondent's blood sample. Respondent tested positive for metabolites of Alcohol.

17. Respondent's probation is subject to revocation because she failed to comply with Condition No. 10 of her probation in Case No. 800-2015-016477.

## PRAYER

WHEREFORE, complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking the probation that was granted by the Medical Board of California in Case No. 800-2015-016477 and imposing the disciplinary order that was stayed, thereby revoking

1 Physician's and Surgeon's Certificate No. A 82353, issued to respondent Leonor Alcaraz  
2 Ordonez, M.D.;


3 2. Revoking or suspending Physician's and Surgeon's Certificate No. A 82353, issued to  
4 respondent Leonor Alcaraz Ordonez, M.D.;

5 3. Revoking, suspending or denying approval of respondent Leonor Alcaraz Ordonez,  
6 M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code, and  
7 advanced practice nurses;

8 4. Ordering respondent Leonor Alcaraz Ordonez, M.D., to pay the Medical Board of  
9 California the costs of probation monitoring, if placed on probation; and

10 5. Taking such other and further action as deemed necessary and proper.

11 DATED: February 4, 2019

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

## EXHIBIT 1

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against: )  
)  
)

Leonor Alcaraz Ordnez, M.D. )  
)  
)

MBC File # 800-2015-016477

Physician's & Surgeon's )  
Certificate No. A 82353 )  
)

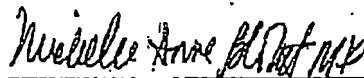
Respondent. )  
\_\_\_\_\_

**ORDER CORRECTING NUNC PRO TUNC  
CLERICAL ERROR IN "PAGE NUMBERING" OF DECISION**

On its own motion, the Medical Board of California (hereafter "board") finds that there is a clerical error in the "page numbering" of the Decision in the above-entitled matter and that such clerical error should be corrected so that the page numbers are correct as shown.

IT IS HEREBY ORDERED that page 22 of the Stipulated Settlement and Disciplinary Order in the above-entitled matter be and hereby is amended and corrected nunc pro tunc as of the date of entry of the decision to read as page 21.

June 30, 2017



Michelle Anne Bholat,  
Chair  
Panel B

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation  
Against:

Leonor Alcaraz Ordonez, M.D.

Case No. 800-2015-016477

Physician's and Surgeon's  
Certificate No. A 82353

Respondent

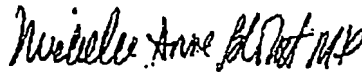
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on July 28, 2017.

IT IS SO ORDERED: June 30, 2017.

MEDICAL BOARD OF CALIFORNIA



Michelle Anne Bholat, M.D., Chair  
Panel B

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 MICHAEL J. YUN  
Deputy Attorney General  
4 State Bar No. 292587  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9453  
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
11 **MEDICAL BOARD OF CALIFORNIA**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 800-2015-016477

14 **LEONOR ALCARAZ ORDONEZ, M.D.**  
1662 Picket Fence Drive  
15 Chula Vista, CA 91915

OAH No. 2017020139

16 **Physician's and Surgeon's Certificate No.**  
**A 82353**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

17  
18 Respondent.

19  
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Kimberly Kirchmeyer (complainant) is the Executive Director of the Medical Board  
24 of California (Board). She brought this action solely in her official capacity and is represented in  
25 this matter by Xavier Becerra, Attorney General of the State of California, by Michael J. Yun,  
26 Deputy Attorney General.

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1       2.     Respondent Leonor Alcaraz Ordonez, M.D. (respondent) is represented in this  
2 proceeding by attorney Robert W. Frank Esq., whose address is: 1010 Second Ave., Ste. 2500  
3 San Diego, CA 92101-4959.

4       3.     On or about March 19, 2003, the Board issued Physician's and Surgeon's Certificate  
5 No. A 82353 to Leonor Alcaraz Ordonez, M.D. (respondent). The Physician's and Surgeon's  
6 Certificate was in full force and effect at all times relevant to the charges brought in Accusation  
7 No. 800-2015-016477, and will expire on September 30, 2018, unless renewed.

8                                   **JURISDICTION**

9       4.     Accusation No. 800-2015-016477 was filed before the Medical Board of California,  
10 and is currently pending against Respondent. The Accusation and all other statutorily required  
11 documents were properly served on Respondent on December 23, 2017. Respondent timely filed  
12 her Notice of Defense contesting the Accusation.

13       5.     A copy of Accusation No. 800-2015-016477 is attached as Exhibit 1 and incorporated  
14 herein by reference.

15                                   **ADVISEMENT AND WAIVERS**

16       6.     Respondent has carefully read, and fully understands the charges and allegations in  
17 Accusation No. 800-2015-016477, and the effects of this Stipulated Settlement and Disciplinary  
18 Order on her Physician's and Surgeon's Certificate No. A 82353, and has fully reviewed and  
19 discussed same with her attorney of record, Robert W. Frank, Esq.

20       7.     Respondent is fully aware of her legal rights in this matter, including the right to a  
21 hearing on the charges and allegations in the Accusation No. 800-2015-016477; the right to  
22 confront and cross-examine the witnesses against her; the right to present evidence and to testify  
23 on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses  
24 and the production of documents; the right to reconsideration and court review of an adverse  
25 decision; and all other rights accorded by the California Administrative Procedure Act, the  
26 California Code of Civil Procedure, and other applicable laws, having been fully advised of same  
27 by her attorney of record, Robert W. Frank, Esq. Respondent, having the benefit of

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1 counsel, hereby voluntarily, knowingly, and intelligently waives and gives up each and every one  
2 of the rights set forth and/or referenced above.

3 CULPABILITY

4 8. Respondent admits the truth of each and every charge and allegation in Accusation  
5 No. 800-2015-016477.

6 9. Respondent agrees that her Physician's and Surgeon's Certificate No. A 82353 is  
7 subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in  
8 the Disciplinary Order below.

9 CONTINGENCY

10 10. The parties agree that this Stipulated Settlement and Disciplinary Order shall be  
11 submitted to the Board for its consideration in the above-entitled matter and, further, that the  
12 Board shall have a reasonable period of time in which to consider and act on this Stipulated  
13 Settlement and Disciplinary Order after receiving it. By signing this stipulation, respondent fully  
14 understands and agrees that she may not withdraw her agreement or seek to rescind this  
15 stipulation prior to the time that the Board considers and acts upon it.

16 11. The parties agree that this Stipulated Settlement and Disciplinary Order shall be null  
17 and void and not binding upon the parties unless approved and adopted by the Board, except for  
18 this paragraph, which shall remain in full force and effect. Respondent fully understands and  
19 agrees that in deciding whether or not to approve and adopt this Stipulated Settlement and  
20 Disciplinary Order, the Board may receive oral and written communication from its staff and/or  
21 the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify  
22 the Board, any member thereof, and/or any other person from future participation in this or any  
23 other matter affecting or involving respondent. In the event that the Board, in its discretion, does  
24 not approve and adopt this Stipulated Settlement and Disciplinary Order, with the exception of  
25 this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and  
26 shall not be relied upon or introduced in any disciplinary action by either party hereto.  
27 Respondent further agrees that should the Board reject this Stipulated Settlement and Disciplinary  
28 Order for any reason, respondent will assert no claim that the Board, or any member thereof, was



1 prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Settlement and  
2 Disciplinary Order or of any matter or matters related hereto.

3 **ADDITIONAL PROVISIONS**

4 12. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to  
5 be an integrated writing representing the complete, final and exclusive embodiment of the  
6 agreements of the parties in the above-entitled matter.

7 13. The parties understand and agree that copies of this Stipulated Settlement and  
8 Disciplinary Order may be used, including copies of the signatures of the parties, in lieu of  
9 original documents and signatures and, further, shall have the same force and effect as the  
10 originals.

11 14. In consideration of the foregoing admissions and stipulations, the parties agree that  
12 the Board may, without further notice or opportunity to be heard by respondent, issue and enter  
13 the following Disciplinary Order:

14 **DISCIPLINARY ORDER**

15 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 82353 issued  
16 to respondent Leonor Alcaráz Ordonez, M.D. is revoked. However, the revocation is stayed and  
17 respondent is placed on probation for six (6) years from the effective date of the Decision on the  
18 following terms and conditions.

19 1. **CONTROLLED SUBSTANCES - TOTAL RESTRICTION** Respondent shall  
20 not order, prescribe, dispense, administer, furnish, or possess any controlled substances as defined  
21 in the California Uniform Controlled Substances Act.

22 Respondent shall not issue an oral or written recommendation or approval to a patient or a  
23 patient's primary caregiver for the possession or cultivation of marijuana for the personal medical  
24 purposes of the patient within the meaning of Health and Safety Code section 11362.5.

25 If respondent forms the medical opinion, after an appropriate prior examination and a  
26 medical indication, that a patient's medical condition may benefit from the use of marijuana,  
27 respondent shall so inform the patient and shall refer the patient to another physician who,  
28 following an appropriate prior examination and a medical indication, may independently issue a

1 medically appropriate recommendation or approval for the possession or cultivation of marijuana  
2 for the personal medical purposes of the patient within the meaning of Health and Safety Code  
3 section 11362.5. In addition, respondent shall inform the patient or the patient's primary  
4 caregiver that respondent is prohibited from issuing a recommendation or approval for the  
5 possession or cultivation of marijuana for the personal medical purposes of the patient and that  
6 the patient or the patient's primary caregiver may not rely on respondent's statements to legally  
7 possess or cultivate marijuana for the personal medical purposes of the patient. Respondent shall  
8 fully document in the patient's chart that the patient or the patient's primary caregiver was so  
9 informed. Nothing in this condition prohibits respondent from providing the patient or the  
10 patient's primary caregiver information about the possible medical benefits resulting from the use  
11 of marijuana.

12 2. CONTROLLED SUBSTANCES - SURRENDER OF DEA PERMIT Respondent  
13 is prohibited from practicing medicine until respondent provides documentary proof to the Board  
14 or its designee that respondent's DEA permit has been surrendered to the Drug Enforcement  
15 Administration for cancellation, together with any state prescription forms and all controlled  
16 substances order forms. Thereafter, respondent shall not reapply for a new DEA permit without  
17 the prior written consent of the Board or its designee.

18 3. CONTROLLED SUBSTANCES - ABSTAIN FROM USE Respondent shall  
19 abstain completely from the personal use or possession of controlled substances as defined in the  
20 California Uniform Controlled Substances Act, dangerous drugs as defined by Business and  
21 Professions Code section 4022, and any drugs requiring a prescription. This prohibition does not  
22 apply to medications lawfully prescribed to respondent by another practitioner for a bona fide  
23 illness or condition.

24 Within 15 calendar days of receiving any lawfully prescribed medications, respondent shall  
25 notify the Board or its designee of the: issuing practitioner's name, address, and telephone  
26 number; medication name, strength, and quantity; and issuing pharmacy name, address, and  
27 telephone number.

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1           4.    **ALCOHOL - ABSTAIN FROM USE** Respondent shall abstain completely from  
2 the use of products or beverages containing alcohol.

3           5.    **PRESCRIBING PRACTICES COURSE** Within 60 calendar days of the effective  
4 date of this Decision, respondent shall enroll in a course in prescribing practices approved in  
5 advance by the Board or its designee. Respondent shall provide the approved course provider  
6 with any information and documents that the approved course provider may deem pertinent.  
7 Respondent shall participate in and successfully complete the classroom component of the course  
8 not later than six (6) months after respondent's initial enrollment. Respondent shall successfully  
9 complete any other component of the course within one (1) year of enrollment. The prescribing  
10 practices course shall be at respondent's expense and shall be in addition to the Continuing  
11 Medical Education (CME) requirements for renewal of licensure.

12           A prescribing practices course taken after the acts that gave rise to the charges in the  
13 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
14 or its designee, be accepted towards the fulfillment of this condition if the course would have  
15 been approved by the Board or its designee had the course been taken after the effective date of  
16 this Decision.

17           Respondent shall submit a certification of successful completion to the Board or its  
18 designee not later than 15 calendar days after successfully completing the course, or not later than  
19 15 calendar days after the effective date of the Decision, whichever is later.

20           6.    **PROFESSIONALISM PROGRAM (ETHICS COURSE)** Within 60 calendar  
21 days of the effective date of this Decision, respondent shall enroll in a professionalism program,  
22 that meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.  
23 Respondent shall participate in and successfully complete that program. Respondent shall  
24 provide any information and documents that the program may deem pertinent. Respondent shall  
25 successfully complete the classroom component of the program not later than six (6) months after  
26 respondent's initial enrollment, and the longitudinal component of the program not later than the  
27 time specified by the program, but no later than one (1) year after attending the classroom  
28 component. The professionalism program shall be at respondent's expense and shall be in

1 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

2 A professionalism program taken after the acts that gave rise to the charges in the  
3 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
4 or its designee, be accepted towards the fulfillment of this condition if the program would have  
5 been approved by the Board or its designee had the program been taken after the effective date of  
6 this Decision.

7 Respondent shall submit a certification of successful completion to the Board or its  
8 designee not later than 15 calendar days after successfully completing the program or not later  
9 than 15 calendar days after the effective date of the Decision, whichever is later.

10 7. PSYCHOTHERAPY Within 60 calendar days of the effective date of this  
11 Decision, respondent shall submit to the Board or its designee for prior approval the name and  
12 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who  
13 has a doctoral degree in psychology and at least five years of postgraduate experience in the  
14 diagnosis and treatment of emotional and mental disorders. Upon approval, respondent shall  
15 undergo and continue psychotherapy treatment, including any modifications to the frequency of  
16 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

17 The psychotherapist shall consider any information provided by the Board or its designee  
18 and any other information the psychotherapist deems relevant and shall furnish a written  
19 evaluation report to the Board or its designee. Respondent shall cooperate in providing the  
20 psychotherapist any information and documents that the psychotherapist may deem pertinent.

21 Respondent shall have the treating psychotherapist submit quarterly status reports to the  
22 Board or its designee. The Board or its designee may require respondent to undergo psychiatric  
23 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of  
24 probation, respondent is found to be mentally unfit to resume the practice of medicine without  
25 restrictions, the Board shall retain continuing jurisdiction over respondent's license and the period  
26 of probation shall be extended until the Board determines that respondent is mentally fit to  
27 resume the practice of medicine without restrictions.

28 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

1           8.    **MONITORING - PRACTICE**   Within 30 calendar days of the effective date of this

2   Decision, respondent shall submit to the Board or its designee for prior approval as a practice  
3   monitor(s), the name and qualifications of one or more licensed physicians and surgeons whose  
4   licenses are valid and in good standing, and who are preferably American Board of Medical  
5   Specialties (ABMS) certified. A monitor shall have no prior or current business or personal  
6   relationship with respondent, or other relationship that could reasonably be expected to  
7   compromise the ability of the monitor to render fair and unbiased reports to the Board, including  
8   but not limited to any form of bartering, shall be in respondent's field of practice, and must agree  
9   to serve as respondent's monitor. Respondent shall pay all monitoring costs.

10           The Board or its designee shall provide the approved monitor with copies of the Decision(s)  
11   and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the  
12   Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed  
13   statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role  
14   of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees  
15   with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the  
16   signed statement for approval by the Board or its designee.

17           Within 60 calendar days of the effective date of this Decision, and continuing throughout  
18   probation, respondent's practice shall be monitored by the approved monitor. Respondent shall  
19   make all records available for immediate inspection and copying on the premises by the monitor  
20   at all times during business hours and shall retain the records for the entire term of probation.  
21   Respondent shall make all records, including but not limited to treatment records from home  
22   health visits, available for immediate inspection and copying by the monitor at all times during  
23   business hours at Integrated Healthcare Alliance, located at 7801 Mission Center Dr., #250, San  
24   Diego, CA 92108. In case of a change in employer, respondent shall immediately communicate  
25   in writing to the Board or its designee the address for the office location of the new employer  
26   where respondent shall make all records available for immediate inspection and copying by the  
27   monitor during business hours.

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1 If respondent fails to obtain approval of a monitor within 60 calendar days of the effective  
2 date of this Decision, respondent shall receive a notification from the Board or its designee to  
3 cease the practice of medicine within three (3) calendar days after being so notified. Respondent  
4 shall cease the practice of medicine until a monitor is approved to provide monitoring  
5 responsibility.

6 The monitor(s) shall submit a quarterly written report to the Board or its designee which  
7 includes an evaluation of respondent's performance, indicating whether respondent's practices are  
8 within the standards of practice of medicine, and whether respondent is practicing medicine  
9 safely. It shall be the sole responsibility of respondent to ensure that the monitor submits the  
10 quarterly written reports to the Board or its designee within 10 calendar days after the end of the  
11 preceding quarter.

12 If the monitor resigns or is no longer available, respondent shall, within 5 calendar days of  
13 such resignation or unavailability, submit to the Board or its designee, for prior approval, the  
14 name and qualifications of a replacement monitor who will be assuming that responsibility within  
15 15 calendar days. If respondent fails to obtain approval of a replacement monitor within 60  
16 calendar days of the resignation or unavailability of the monitor, respondent shall receive a  
17 notification from the Board or its designee to cease the practice of medicine within three (3)  
18 calendar days after being so notified. Respondent shall cease the practice of medicine until a  
19 replacement monitor is approved and assumes monitoring responsibility.

20 In lieu of a monitor, respondent may participate in a professional enhancement program  
21 approved in advance by the Board or its designee that includes, at minimum, quarterly chart  
22 review, semi-annual practice assessment, and semi-annual review of professional growth and  
23 education. Respondent shall participate in the professional enhancement program at respondent's  
24 expense during the term of probation.

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1                   **UNIFORM STANDARDS FOR SUBSTANCE-ABUSING LICENSEES**

2           9.   **NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION**   Within seven

3   (7) days of the effective date of this Decision, respondent shall provide to the Board the names,  
4   physical addresses, mailing addresses, and telephone numbers of any and all employers and  
5   supervisors. Respondent shall also provide specific, written consent for the Board, respondent's  
6   worksite monitor, and respondent's employers and supervisors to communicate regarding  
7   respondent's work status, performance, and monitoring.

8           For purposes of this section, "supervisors" shall include the Chief of Staff and Health or  
9   Well Being Committee Chair, or equivalent, if applicable, when respondent has medical staff  
10   privileges.

11          10.   **BIOLOGICAL FLUID TESTING**   Respondent shall immediately submit to  
12   biological fluid testing, at respondent's expense, upon request of the Board or its designee.  
13   "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair  
14   follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall  
15   make daily contact with the Board or its designee to determine whether biological fluid testing is  
16   required. Respondent shall be tested on the date of the notification as directed by the Board or its  
17   designee. The Board may order a respondent to undergo a biological fluid test on any day, at any  
18   time, including weekends and holidays. Except when testing on a specific date as ordered by the  
19   Board or its designee, the scheduling of biological fluid testing shall be done on a random basis.  
20   The cost of biological fluid testing shall be borne by respondent.

21           During the first year of probation, respondent shall be subject to 52 to 104 random tests.  
22   During the second year of probation and for the duration of the probationary term, up to five (5)  
23   years, respondent shall be subject to 36 to 104 random tests per year. Only if there has been no  
24   positive biological fluid tests in the previous five (5) consecutive years of probation, may testing  
25   be reduced to one (1) time per month. Nothing precludes the Board from increasing the number  
26   of random tests to the first-year level of frequency for any reason.

27           Prior to practicing medicine, respondent shall contract with a laboratory or service,

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1 approved in advance by the Board or its designee, that will conduct random, unannounced,  
2 observed, biological fluid testing and meets all of the following standards:

3 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry  
4 Association or have completed the training required to serve as a collector for the United  
5 States Department of Transportation.

6 (b) Its specimen collectors conform to the current United States Department of  
7 Transportation Specimen Collection Guidelines.

8 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published  
9 by the United States Department of Transportation without regard to the type of test  
10 administered.

11 (d) Its specimen collectors observe the collection of testing specimens.

12 (e) Its laboratories are certified and accredited by the United States Department of Health  
13 and Human Services.

14 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day  
15 of receipt and all specimens collected shall be handled pursuant to chain of custody  
16 procedures. The laboratory shall process and analyze the specimens and provide legally  
17 defensible test results to the Board within seven (7) business days of receipt of the  
18 specimen. The Board will be notified of non-negative results within one (1) business day  
19 and will be notified of negative test results within seven (7) business days.

20 (g) Its testing locations possess all the materials, equipment, and technical expertise  
21 necessary in order to test respondent on any day of the week.

22 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens  
23 for the detection of alcohol and illegal and controlled substances.

24 (i) It maintains testing sites located throughout California.

25 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line  
26 computer database that allows the Respondent to check in daily for testing.

27 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff

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1 access to drug test results and compliance reporting information that is available 24 hours a  
2 day.

3 (l) It employs or contracts with toxicologists that are licensed physicians and have  
4 knowledge of substance abuse disorders and the appropriate medical training to interpret  
5 and evaluate laboratory biological fluid test results, medical histories, and any other  
6 information relevant to biomedical information.

7 (m) It will not consider a toxicology screen to be negative if a positive result is obtained  
8 while practicing, even if respondent holds a valid prescription for the substance.

9 Prior to changing testing locations for any reason, including during vacation or other travel,  
10 alternative testing locations must be approved by the Board and meet the requirements above.

11 The contract shall require that the laboratory directly notify the Board or its designee of  
12 non-negative results within one (1) business day and negative test results within seven (7)  
13 business days of the results becoming available. Respondent shall maintain this laboratory or  
14 service contract during the period of probation.

15 A certified copy of any laboratory test result may be received in evidence in any  
16 proceedings between the Board and respondent.

17 If a biological fluid test result indicates respondent has used, consumed, ingested, or  
18 administered to herself a prohibited substance, the Board shall order respondent to cease practice  
19 and instruct respondent to leave any place of work where respondent is practicing medicine or  
20 providing medical services. The Board shall immediately notify all of respondent's employers,  
21 supervisors and work monitors, if any, that respondent may not practice medicine or provide  
22 medical services while the cease-practice order is in effect.

23 A biological fluid test will not be considered negative if a positive result is obtained while  
24 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited  
25 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

26 After the issuance of a cease-practice order, the Board shall determine whether the positive  
27 biological fluid test is in fact evidence of prohibited substance use by consulting with the

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specimen collector and the laboratory, communicating with the licensee, her treating physician(s), other health care provider, or group facilitator, as applicable.

For purposes of this condition, the terms "biological fluid testing" and "testing" mean the acquisition and chemical analysis of a respondent's urine, blood, breath, or hair.

For purposes of this condition, the term "prohibited substance" means an illegal drug, a lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by respondent and approved by the Board, alcohol, or any other substance respondent has been instructed by the Board not to use, consume, ingest, or administer to herself.

If the Board confirms that a positive biological fluid test is evidence of use of a prohibited substance, respondent has committed a major violation, as defined in section 1361.52(a), and the Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to any other terms or conditions the Board determines are necessary for public protection or to enhance respondent's rehabilitation.

11. **SUBSTANCE ABUSE SUPPORT GROUP MEETINGS** Within thirty (30) days of the effective date of this Decision, respondent shall submit to the Board or its designee, for its prior approval, the name of a substance abuse support group which he or she shall attend for the duration of probation. Respondent shall attend substance abuse support group meetings at least once per week, or as ordered by the Board or its designee. Respondent shall pay all substance abuse support group meeting costs.

The facilitator of the substance abuse support group meeting shall have a minimum of three (3) years experience in the treatment and rehabilitation of substance abuse, and shall be licensed or certified by the state or nationally certified organizations. The facilitator shall not have a current or former financial, personal, or business relationship with respondent within the last five (5) years. Respondent's previous participation in a substance abuse group support meeting led by the same facilitator does not constitute a prohibited current or former financial, personal, or business relationship.

The facilitator shall provide a signed document to the Board or its designee showing respondent's name, the group name, the date and location of the meeting, respondent's

1 attendance, and respondent's level of participation and progress. The facilitator shall report any  
2 unexcused absence by respondent from any substance abuse support group meeting to the Board,  
3 or its designee, within twenty-four (24) hours of the unexcused absence.

4 12. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE Within  
5 thirty (30) calendar days of the effective date of this Decision, respondent shall submit to the  
6 Board or its designee for prior approval as a worksite monitor; the name and qualifications of one  
7 or more licensed physician and surgeon, other licensed health care professional if no physician  
8 and surgeon is available, or, as approved by the Board or its designee, a person in a position of  
9 authority who is capable of monitoring respondent at work.

10 The worksite monitor shall not have a current or former financial, personal, or familial  
11 relationship with respondent, or any other relationship that could reasonably be expected to  
12 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its  
13 designee. If it is impractical for anyone but respondent's employer to serve as the worksite  
14 monitor, this requirement may be waived by the Board or its designee, however, under no  
15 circumstances shall respondent's worksite monitor be an employee or supervisee of the licensee.

16 The worksite monitor shall have an active unrestricted license with no disciplinary action  
17 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms  
18 and conditions of respondent's disciplinary order and agrees to monitor respondent as set forth by  
19 the Board or its designee.

20 Respondent shall pay all worksite monitoring costs.

21 The worksite monitor shall have face-to-face contact with respondent in the work  
22 environment on as frequent a basis as determined by the Board or its designee, but not less than  
23 once per week; interview other staff in the office regarding respondent's behavior, if requested by  
24 the Board or its designee; and review respondent's work attendance.

25 The worksite monitor shall verbally report any suspected substance abuse to the Board and  
26 respondent's employer or supervisor within one (1) business day of occurrence. If the suspected  
27 substance abuse does not occur during the Board's normal business hours, the verbal report shall  
28 be made to the Board or its designee within one (1) hour of the next business day. A written

1 report that includes the date, time, and location of the suspected abuse; respondent's actions; and  
2 any other information deemed important by the worksite monitor shall be submitted to the Board  
3 or its designee within 48 hours of the occurrence.

4 The worksite monitor shall complete and submit a written report monthly or as directed by  
5 the Board or its designee which shall include the following: (1) respondent's name and  
6 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)  
7 the worksite monitor's license number, if applicable; (4) the location or location(s) of the  
8 worksite; (5) the dates respondent had face-to-face contact with the worksite monitor; (6) the  
9 names of worksite staff interviewed, if applicable; (7) a report of respondent's work attendance;  
10 (8) any change in respondent's behavior and/or personal habits; and (9) any indicators that can  
11 lead to suspected substance abuse by respondent. Respondent shall complete any required  
12 consent forms and execute agreements with the approved worksite monitor and the Board, or its  
13 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

14 If the worksite monitor resigns or is no longer available, respondent shall, within five (5)  
15 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior  
16 approval, the name and qualifications of a replacement monitor who will be assuming that  
17 responsibility within fifteen (15) calendar days. If respondent fails to obtain approval of a  
18 replacement monitor within sixty (60) calendar days of the resignation or unavailability of the  
19 monitor, respondent shall receive a notification from the Board or its designee to cease the  
20 practice of medicine within three (3) calendar days after being so notified. Respondent shall  
21 cease the practice of medicine until a replacement monitor is approved and assumes monitoring  
22 responsibility.

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13. **VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING**

**LICENSEES** Failure to fully comply with any term or condition of probation is a violation of probation.

A. If respondent commits a major violation of probation as defined by section 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take one or more of the following actions:

(1) Issue an immediate cease-practice order and order respondent to undergo a clinical diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of Regulations, at respondent's expense. The cease-practice order issued by the Board or its designee shall state that respondent must test negative for at least a month of continuous biological fluid testing before being allowed to resume practice. For purposes of determining the length of time a respondent must test negative while undergoing continuous biological fluid testing following issuance of a cease-practice order, a month is defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until notified in writing by the Board or its designee that she may do so.

(2) Increase the frequency of biological fluid testing.

(3) Refer respondent for further disciplinary action, such as suspension, revocation, or other action as determined by the Board or its designee.

B. If respondent commits a minor violation of probation as defined by section 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take one or more of the following actions:

(1) Issue a cease-practice order;

(2) Order practice limitations;

(3) Order or increase supervision of respondent;

(4) Order increased documentation;

(5) Issue a citation and fine, or a warning letter;

(6) Order respondent to undergo a clinical diagnostic evaluation to be conducted in

///

1 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of  
2 Regulations, at respondent's expense;

3 (7) Take any other action as determined by the Board or its designee.

4 C. Nothing in this Decision shall be considered a limitation on the Board's authority  
5 to revoke respondent's probation if she has violated any term or condition of probation. If  
6 respondent violates probation in any respect, the Board, after giving respondent notice and the  
7 opportunity to be heard, may revoke probation and carry out the disciplinary order that was  
8 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed  
9 against respondent during probation, the Board shall have continuing jurisdiction until the matter  
10 is final, and the period of probation shall be extended until the matter is final.

11 **STANDARD CONDITIONS**

12 14. **NOTIFICATION** Within seven (7) days of the effective date of this Decision,  
13 respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the  
14 Chief Executive Officer at every hospital where privileges or membership are extended to  
15 respondent, at any other facility where respondent engages in the practice of medicine, including  
16 all physician and locum tenens registries or other similar agencies, and to the Chief Executive  
17 Officer at every insurance carrier which extends malpractice insurance coverage to respondent.  
18 Respondent shall submit proof of compliance to the Board or its designee within 15 calendar  
19 days.

20 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

21 15. **SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED**  
22 **PRACTICE NURSES** During probation, respondent is prohibited from supervising physician  
23 assistants and advanced practice nurses.

24 16. **OBEY ALL LAWS** Respondent shall obey all federal, state and local laws, all rules  
25 governing the practice of medicine in California and remain in full compliance with any court  
26 ordered criminal probation, payments, and other orders.

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1       17. **QUARTERLY DECLARATIONS** Respondent shall submit quarterly declarations  
2 under penalty of perjury on forms provided by the Board, stating whether there has been  
3 compliance with all the conditions of probation.

4       Respondent shall submit quarterly declarations not later than 10 calendar days after the end  
5 of the preceding quarter.

6       18. **GENERAL PROBATION REQUIREMENTS**

7       **Compliance with Probation Unit**

8       Respondent shall comply with the Board's probation unit.

9       **Address Changes**

10       Respondent shall, at all times, keep the Board informed of respondent's business and  
11 residence addresses, email address (if available), and telephone number. Changes of such  
12 addresses shall be immediately communicated in writing to the Board or its designee. Under no  
13 circumstances shall a post office box serve as an address of record, except as allowed by Business  
14 and Professions Code section 2021(b).

15       **Place of Practice**

16       Respondent shall not engage in the practice of medicine in respondent's place of residence.

17       **License Renewal**

18       Respondent shall maintain a current and renewed California physician's and surgeon's  
19 license.

20       **Travel or Residence Outside California**

21       Respondent shall immediately inform the Board or its designee, in writing, of travel to any  
22 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty  
23 (30) calendar days.

24       In the event respondent should leave the State of California to reside or to practice,  
25 respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of  
26 departure and return.

27       ///

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1        19. INTERVIEW WITH THE BOARD OR ITS DESIGNEE Respondent shall be  
2 available in person upon request for interviews either at respondent's place of business or at the  
3 probation unit office, with or without prior notice throughout the term of probation.

4        20. NON-PRACTICE WHILE ON PROBATION Respondent shall notify the Board  
5 or its designee in writing within 15 calendar days of any periods of non-practice lasting more than  
6 30 calendar days and within 15 calendar days of respondent's return to practice. Non-practice is  
7 defined as any period of time respondent is not practicing medicine as defined in Business and  
8 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct  
9 patient care, clinical activity or teaching, or other activity as approved by the Board. If  
10 respondent resides in California and is considered to be in non-practice, respondent shall comply  
11 with all terms and conditions of probation. All time spent in an intensive training program which  
12 has been approved by the Board or its designee shall not be considered non-practice and does not  
13 relieve respondent from complying with all the terms and conditions of probation. Practicing  
14 medicine in another state of the United States or Federal jurisdiction while on probation with the  
15 medical licensing authority of that state or jurisdiction shall not be considered non-practice. A  
16 Board-ordered suspension of practice shall not be considered as a period of non-practice.

17        In the event respondent's period of non-practice while on probation exceeds 18 calendar  
18 months, respondent shall successfully complete the Federation of State Medical Board's Special  
19 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program  
20 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model  
21 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

22        Respondent's period of non-practice while on probation shall not exceed two (2) years.

23        Periods of non-practice will not apply to the reduction of the probationary term.

24        Periods of non-practice for a respondent residing outside of California will relieve  
25 respondent of the responsibility to comply with the probationary terms and conditions with the  
26 exception of this condition and the following terms and conditions of probation: Obey All Laws;  
27 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or  
28 Controlled Substances; and Biological Fluid Testing.



1           21. **COMPLETION OF PROBATION** Respondent shall comply with all financial  
2 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the  
3 completion of probation. Upon successful completion of probation, respondent's certificate shall  
4 be fully restored.

5           22. **VIOLATION OF PROBATION** Failure to fully comply with any term or  
6 condition of probation is a violation of probation. If respondent violates probation in any respect,  
7 the Board, after giving respondent notice and the opportunity to be heard, may revoke probation  
8 and carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke  
9 Probation, or an Interim Suspension Order is filed against respondent during probation, the Board  
10 shall have continuing jurisdiction until the matter is final, and the period of probation shall be  
11 extended until the matter is final.

12           23. **LICENSE SURRENDER** Following the effective date of this Decision, if  
13 respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy  
14 the terms and conditions of probation, respondent may request to surrender her license. The  
15 Board reserves the right to evaluate respondent's request and to exercise its discretion in  
16 determining whether or not to grant the request, or to take any other action deemed appropriate  
17 and reasonable under the circumstances. Upon formal acceptance of the surrender, respondent  
18 shall within 15 calendar days deliver respondent's wallet and wall certificate to the Board or its  
19 designee and respondent shall no longer practice medicine. Respondent will no longer be subject  
20 to the terms and conditions of probation. If respondent re-applies for a medical license, the  
21 application shall be treated as a petition for reinstatement of a revoked certificate.

22           24. **PROBATION MONITORING COSTS** Respondent shall pay the costs associated  
23 with probation monitoring each and every year of probation, as designated by the Board, which  
24 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of  
25 California and delivered to the Board or its designee no later than January 31 of each calendar  
26 year.

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1. ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
3 discussed it with my attorney, Robert W. Frank, Esq. I fully understand the stipulation and the  
4 effect it will have on my Physician's and Surgeon's Certificate No. A 82353. I enter into this  
5 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
6 to be bound by the Decision and Order of the Medical Board of California.

7  
8 DATED: 5/25/17 Leonor A. Ordóñez  
9 LEONOR ALCARAZ ORDONEZ, M.D.  
Respondent

10 I have read and fully discussed with respondent Leonor Alcaraz Ordóñez, M.D., the terms  
11 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary  
12 Order. I approve its form and content.

13  
14 DATED: 5-26-17 R. W. Frank  
15 ROBERT W. FRANK ESQ.  
16 Attorney for Respondent

17 ENDORSEMENT

18 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
19 submitted for consideration by the Medical Board of California.

20 Dated: 5/26/17 Respectfully submitted,  
21 XAVIER BECERRA  
22 Attorney General of California  
23 ALEXANDRA M. ALVAREZ  
24 Supervising Deputy Attorney General  
25 Michael J. Yun  
26 MICHAEL J. YUN  
27 Deputy Attorney General  
28 Attorneys for Complainant

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**Exhibit 1**

**Accusation No. 800-2015-016477**

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO Dec. 23 20 16  
BY R. Firdaus ANALYST

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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

10 BEFORE THE  
11 MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 800-2015-016477

14 LEONOR ALCARAZ ORDONEZ, M.D.  
1662 Picket Fence Drive  
15 Chula Vista, CA 91915

ACCUSATION

16 Physician's and Surgeon's Certificate  
No. A 82353,

17  
18 Respondent.

19  
20 Complainant alleges:

21 PARTIES

22 1. Kimberly Kirchmeyer (complainant) brings this Accusation solely in her official  
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
24 Affairs, State of California.

25 2. On or about March 19, 2003, the Medical Board (Board) issued Physician's and  
26 Surgeon's Certificate No. A 82353 to Leonor Alcaraz Ordonez, M.D. (respondent). The  
27 Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the  
28 charges brought herein and will expire on September 30, 2018.

ACCUSATION (800-2015-016477)

3. . On or about December 5, 2016, a stipulated Interim Order Imposing License Restrictions on respondent's Physician's and Surgeon's Certificate No. A.82353 was issued. The Interim Order required 1) that respondent abstain completely from unlawful use of controlled substances, 2) that she be completely prohibited from prescribing any controlled substances, 3) that she continue to submit to random biological fluid testing, 4) that she continue to enroll and participate in the University of California San Diego's Health Professional Program ("UCSD HPP") and continue to attend her therapy sessions with her psychiatrist and her therapist, 5) that she sign and deliver an authorization to UCSD HPP to release all documents and information related to her enrollment and participation in the monitoring and support services program to the Medical Board of California, 6) that respondent provide a copy of the Interim Order to UCSD HPP and all of her employers, and 7) that respondent sign and deliver an authorization to Affinity Lab to make available and/or provide written copies of all laboratory test results of all drug and/or alcohol testing pertaining to respondent.

## JURISDICTION

4. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

5. Section 118 of the Code states, in pertinent part:

“ ”

“(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

“ ”  
...

111

6. Section 2227 of the Code states, in pertinent part:

"(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

"(1) Have his or her license revoked upon order of the board.

"(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

"(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

"..."

"(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

"..."

7. Section 2228 of the Code states, in pertinent part:

"The authority of the board or the California Board of Podiatric Medicine to discipline a licensee by placing him or her on probation includes, but is not limited to, the following:

"..."

"(b) Requiring the licensee to submit to a complete diagnostic examination by one or more physicians and surgeons appointed by the board. If an examination is ordered, the board shall receive and consider any other report of a complete diagnostic examination given by one or more physicians and surgeons of the licensee's choice.

"(c) Restricting or limiting the extent, scope, or type of practice of the licensee, including requiring notice to applicable patients that the licensee is unable to perform the indicated treatment, where appropriate.

"..."

///

///

1       8.     Section 2234 of the Code, states, in pertinent part:

2       "The board shall take action against any licensee who is charged with unprofessional  
3     conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not  
4     limited to, the following:

5       "(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the  
6     violation of, or conspiring to violate any provision of this chapter.

7       "..."

8       "(e) The commission of any act involving dishonesty or corruption that is substantially  
9     related to the qualifications, functions, or duties of a physician and surgeon.

10      "..."

11      9.     Section 2236 of the Code states, in pertinent part:

12      "(a) The conviction of any offense substantially related to the qualifications, functions, or  
13     duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this  
14     chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive  
15     evidence only of the fact that the conviction occurred.

16      "..."

17      "(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to  
18     be a conviction within the meaning of this section and Section 2236.1. The record of conviction  
19     shall be conclusive evidence of the fact that the conviction occurred."

20      10.    Section 2237 of the Code states:

21      "(a) The conviction of a charge of violating any federal statutes or regulations or any statute  
22     or regulation of this state, regulating dangerous drugs or controlled substances, constitutes  
23     unprofessional conduct. The record of the conviction is conclusive evidence of such  
24     unprofessional conduct. A plea or verdict of guilty or a conviction following a plea of nolo  
25     contendere is deemed to be a conviction within the meaning of this section.

26      "(b) Discipline may be ordered in accordance with Section 2227 or the Division of  
27     Licensing may order the denial of the license when the time for appeal has elapsed, or the  
28     judgment of conviction has been affirmed on appeal, or when an order granting probation is made

1 suspending the imposition of sentence, irrespective of a subsequent order under the provisions of  
2 Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and  
3 to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation,  
4 complaint, information, or indictment."

5 11. Section 2238 of the Code states:

6 "A violation of any federal statute or federal regulation or any of the statutes or regulations  
7 of this state regulating dangerous drugs or controlled substances constitutes unprofessional  
8 conduct."

9 12. Section 2239 of the Code states:

10 "(a) The use or prescribing for or administering to himself or herself, of any controlled  
11 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic  
12 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to  
13 any other person or to the public, or to the extent that such use impairs the ability of the licensee  
14 to practice medicine safely or more than one misdemeanor or any felony involving the use,  
15 consumption, or self-administration of any of the substances referred to in this section, or any  
16 combination thereof, constitutes unprofessional conduct. The record of the conviction is  
17 conclusive evidence of such unprofessional conduct.

18 "(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is  
19 deemed to be a conviction within the meaning of this section. The Division of Medical Quality  
20 may order discipline of the licensee in accordance with Section 2227 or the Division of Licensing  
21 may order the denial of the license when the time for appeal has elapsed or the judgment of  
22 conviction has been affirmed on appeal or when an order granting probation is made suspending  
23 imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4  
24 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of  
25 not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint,  
26 information, or indictment."

27 ///

28 ///



1 13. Section 2242 of the Code states, in pertinent part:

2 "(a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section 4022  
3 without an appropriate prior examination and a medical indication, constitutes unprofessional  
4 conduct.

5 "..."

6 14. Section 2266 of the Code states: "The failure of a physician and surgeon to maintain  
7 adequate and accurate records relating to the provision of services to their patients constitutes  
8 unprofessional conduct."

9 15. California Code of Regulations, title 16, section 1360, states:

10 "For the purposes of denial, suspension or revocation of a license, certificate or permit  
11 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be  
12 considered to be substantially related to the qualifications, functions or duties of a person holding  
13 a license, certificate or permit under the Medical Practice Act if to a substantial degree it  
14 evidences present or potential unfitness of a person holding a license, certificate or permit to  
15 perform the functions authorized by the license, certificate or permit in a manner consistent with  
16 the public health, safety or welfare. Such crimes or acts shall include but not be limited to the  
17 following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
18 violation of, or conspiring to violate any provision of the Medical Practice Act."

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Conviction of Crimes Substantially Related to Qualifications,  
21 Functions, or Duties of a Physician and Surgeon)**

22 16. Respondent has subjected her Physician's and Surgeon's Certificate No. A 82353 to  
23 disciplinary action under sections 2227 and 2234, as defined by section 2236, subdivision (a), of the  
24 Code, and under title 16, section 1360 of the California Code of Regulations, in that she has been  
25 convicted of crimes substantially related to the qualifications, functions, or duties of a physician and  
26 surgeon, as more particularly alleged hereinafter:

27 ///

28 ///

1       **The December 14, 2015 Conviction**

2       A.   On or about September 2, 2015, Health Quality Investigations Unit (HQIU)'s  
3       Investigator T.C. received information over the phone from the San Diego Drug  
4       Enforcement Administration (the DEA) Diversion Investigator B.C. regarding  
5       respondent's use of her DEA number to prescribe controlled substances, including  
6       hydrocodone bitartrate<sup>1</sup> (hydrocodone), to her husband, J.G., and diverting the  
7       prescription medication for her personal use.

8       B.   DEA Investigator B.C. told Investigator T.C. over the phone that she received  
9       information from a pharmacy to which respondent was calling in prescriptions using  
10      her DEA number and issuing them to J.G. but picking them up herself.

11      C.   On or about September 2, 2015, Investigator T.C. received a copy of the  
12      Controlled Substance Utilization Review and Evaluation System (CURES) doctor's  
13      prescriber history report for respondent from September 2, 2012 to September 2,  
14      2015. The 87 page report showed fifteen (15) prescriptions made to J.G. for Tylenol  
15      with codeine,<sup>2</sup> diazepam<sup>3</sup> and hydrocodone,<sup>4</sup> issued from April 17, 2013 to July 14,  
16      2015.

17      D.   On or about September 2, 2015, Investigator T.C. contacted and spoke with  
18      Medical Director E.L. (Director E.L.) of Imperial Beach Health Center (IBHC),  
19      respondent's place of employment. Director E.L. stated that respondent has been  
20      employed by IBHC since late 2006 and that she has been on a leave of absence since  
21      March 18, 2015.

22  
23      <sup>1</sup> A Schedule III controlled substance pursuant to Health and Safety Code section 11056,  
subdivision (e), and a dangerous drug pursuant to Business and Professions Code section 4022.

24      <sup>2</sup> A Schedule II controlled substance pursuant to Health and Safety Code section 11055,  
25      subdivision (b), and a dangerous drug pursuant to Business and Professions Code section 4022.

26      <sup>3</sup> A Schedule IV controlled substance pursuant to Health and Safety Code section 11057,  
subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

27      <sup>4</sup> A Schedule II controlled substance pursuant to Health and Safety Code section 11055,  
28      subdivision (b), and a dangerous drug pursuant to Business and Professions Code section 4022.

1 E. On or about September 3, 2015, Investigator T.C. received a copy of the  
2 CURES patient activity report for J.G. from September 3, 2012, to September 3,  
3 2015. The CURES report revealed fifteen (15) of the seventeen (17) prescriptions  
4 issued for J.G., respondent's husband, were prescribed by respondent.

5 F. On or about the morning of September 4, 2015, Investigator T.C. and HQU  
6 Investigator M.P. spoke with respondent on the phone. Respondent stated she has  
7 been on medical leave since March 2015, due to depression and anxiety. When asked  
8 about her prescribing hydrocodone to her husband in 2015, respondent replied she  
9 prescribed it to him because he had suffered a rotator cuff injury in the past. Upon  
10 further questioning, respondent admitted that J.G.'s injury took place approximately  
11 thirteen (13) years ago and that his last visit to a physician for the same injury was  
12 approximately 13 years ago when J.G. and respondent used to live in Philadelphia.  
13 Respondent stated that since then J.G. has seen a medical provider in San Diego, but  
14 not for his shoulder injury. Respondent told the investigators that J.G. was  
15 complaining about pain in his shoulder and that it was the reason for her writing him a  
16 prescription for hydrocodone beginning in January 2015, consisting of 90 pills per  
17 prescription. Respondent further stated one (1) pill would be taken every six (6)  
18 hours. Respondent has prescribed her husband hydrocodone on a total of nine (9)  
19 occasions between January 2015 and July 2015, each of the nine (9) prescriptions  
20 consisting of 90 pills. In addition, respondent prescribed J.G. 90 pills of Diazepam at  
21 10 mg strength on January 1, 2015. Respondent told the investigators that she  
22 renewed the prescription about one to two times a month and alleged the medication  
23 was finished at such intervals.

24 G. When asked about her use of hydrocodone, respondent told the investigators  
25 that she began taking J.G.'s pills around April 2015, taking approximately two to  
26 three (2-3) pills a day. Respondent stated that she was suffering from migraines and  
27 that she used J.G.'s medication to help relieve them. Respondent further stated that  
28 she peaked using at about four (4) pills of hydrocodone a day. According to

1 respondent, her husband knew about her use of his medication and asked her to stop  
2 using it. Respondent stated she stopped prescribing the pills in July 2015.

3 Respondent stated she then took Clonidine<sup>5</sup> to help her wean off of Norco.<sup>6</sup>

4 Respondent told the investigators that the DEA had contacted her and ordered her to  
5 surrender her hydrocodone pills by September 3, 2015. Respondent further stated that  
6 she continued to take the hydrocodone pills until the morning of September 3, 2015,  
7 just before surrendering them to the DEA. Finally, respondent told the investigators  
8 during the same telephone conversation that she had an appointment on the next day  
9 to see Dr. Y.C. for respondent's drug addiction. Respondent also stated she has seen  
10 multiple doctors at the time including: R.F., M.F.T. for her depression and anxiety;  
11 Dr. N.C. for depression and anxiety; and D.P., N.P. for her migraines.

12 H. Later that day on or about September 4, 2015, T.C., HQIU Investigator A.M.,  
13 and Investigator M.P. met with respondent and J.G. at their residence located in Chula  
14 Vista, California. Respondent signed authorizations for release of records from D.P.,  
15 N.P., Dr. N.C., Dr. Y.C., and R.F., M.F.T. Respondent also signed the Voluntary  
16 Agreement for Mental and Physical Examination. J.G. also signed a release for his  
17 medical records from respondent. Upon further questioning regarding J.G.'s medical  
18 records, respondent stated she has no records for J.G.

19 I. Prior to the end of the in-person interview, respondent consented to a voluntary  
20 urine sample. Investigator A.M. collected respondent's urine sample and Investigator  
21 M.P. filled out and completed the Alere Custody and Control Form. The sample was  
22 sent via FedEx to Alere Toxicology on the same day. After providing the urine

23 ///

24 <sup>5</sup> A sympatholytic medication used to treat high blood pressure, attention deficit  
25 hyperactivity disorder, anxiety disorders, withdrawal (from either alcohol, opioids, or smoking),  
migraine, menopausal flushing, diarrhea, and certain pain conditions.

26 <sup>6</sup> A brand name for acetaminophen and hydrocodone bitartrate, a Schedule III controlled  
27 substance pursuant to Health and Safety Code section 11056, subdivision (e), and a dangerous  
28 drug pursuant to Business and Professions Code section 4022.

1 sample, respondent stated her urine would test positive for opiates<sup>7</sup> and  
2 benzodiazepines.<sup>8</sup>

3 J. Also on or about September 4, 2015, Investigators T.C. and M.P. went to CVS  
4 Pharmacy #9113 located at 645 East Palomar Road, Chula Vista, 91911. They spoke  
5 to a registered pharmacist, B.W., about respondent's prescription. B.W. said his  
6 pharmacy tech noticed the patient and physician had the same address. B.W. further  
7 said he contacted IBHC to verify J.G. as a patient and was told there was no record of  
8 J.G. as a patient with IBHC. B.W. stated he noticed something was wrong when he  
9 checked the chart and the insurance card of J.G., and verified that J.G. was the spouse  
10 of respondent. B.W. also said that, in July 2015, he personally saw respondent  
11 waiting for a prescription to be filled for J.G. at the same pharmacy. B.W. stated he  
12 confronted respondent at that time and asked if she was the prescribing physician for  
13 the medication she was picking up. Respondent replied no, took the prescription,  
14 walked out of the store and has not returned since. B.W. notified the San Diego  
15 County Sheriff's Department of his findings during the incident.

16 K. On or about September 4, 2015, B.W. provided Investigators T.C. and M.P.  
17 with a copy of J.G.'s CVS patient profile from May 2012 to August 2015 and a copy  
18 of respondent's CVS patient profile from July 2012 to August 2015. B.W. also  
19 provided them with five (5) copies of the prescriptions prescribed by respondent to  
20 J.G. The original prescriptions had already been seized by the DEA. The five (5)  
21 prescriptions revealed the following:

Date	Drug	Dosage	Prescriber	Pickup Date
3/16/2015	Norco 10/375	90	Leonor Ordonez	3/16/2015
5/8/2015	Norco 10/375	90	Leonor Ordonez	5/9/2015
6/19/2015	Norco 10/375	90	Leonor Ordonez	6/19/2015
7/1/2015	Norco 10/375	90	Leonor Ordonez	7/1/2015

25 <sup>7</sup> Drugs with morphine like effects, derived from opium; they are analgesic alkaloid  
26 compounds found naturally in the opium poppy plant *Papaver somniferum*. The psychoactive  
compounds found in the opium plant include morphine, codeine, and thebaine.

27 <sup>8</sup> A Schedule IV controlled substance pursuant to Health and Safety Code section 11057,  
28 subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

7/14/2015	Norco 10/375	90	Leonor Ordonez	7/14/2015
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In addition to the five (5) copies of the aforementioned prescriptions, Investigator T.C. seized two (2) original prescriptions prescribed by respondent to J.G. They were impounded as evidence. The additional prescriptions revealed the following:

Date	Drug	Dosage	Prescriber	Pickup Date
1/5/2015	Norco 10/375	90	Leonor Ordonez	1/7/2015
2/23/2015	Norco 10/375	90	Leonor Ordonez	2/23/2015

L. On or about September 4, 2015, Investigator M.P. received a CURES patient profile for respondent. The report revealed eighteen (18) prescriptions including Tramadol,<sup>9</sup> Temazepam<sup>10</sup> and Diazepam<sup>11</sup> prescribed by D.P., N.P. from September 17, 2014 to June 25, 2015.

M. On or about September 11, 2015, Investigator M.P. received the Alere Drug Test Report for respondent's urine sample. According to the report, respondent tested positive for extended benzodiazepines<sup>12</sup> (four types), extended opiates<sup>13</sup> and oxycodone<sup>14</sup> and/or oxymorphone,<sup>15</sup> indicating these drugs were above the cut off levels. Based on the positive results, the drug class metabolites revealed the

<sup>9</sup> An opioid pain medication that is a dangerous drug pursuant to Business and Professions Code section 4022.

<sup>10</sup> A Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

<sup>11</sup> A Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

<sup>12</sup> A Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

<sup>13</sup> Drugs with morphine like effects, derived from opium; they are analgesic alkaloid compounds found naturally in the opium poppy plant Papaver somniferum. The psychoactive compounds found in the opium plant include morphine, codeine, and thebaine.

<sup>14</sup> A Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b), and a dangerous drug pursuant to Business and Professions Code section 4022.

<sup>15</sup> A Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b), and a dangerous drug pursuant to Business and Professions Code section 4022.

1 benzodiazepine of clonazepam/temazepam and opiates of hydrocodone /  
2 hydromorphone / morphine / oxazepam / oxycodone / oxymorphone.

3 N: On or about September 11, 2015, Investigator M.P. spoke to J.G. J.G. told the  
4 investigator that he spoke to respondent regarding his shoulder pain, that respondent  
5 gave him a range of motion exam and rotator cuff test at home, not in a medical  
6 office, and that no records were documented. J.G. stated respondent prescribed him  
7 hydrocodone and that the prescription was for ninety (90) pills where one (1) was to  
8 be taken, twice a day.

9 O. On or about September 22, 2015, Investigator M.P. sent requests for records  
10 authorizations with releases signed by respondent to Dr. Y.C., Dr. N.C., D.P., N.P.,  
11 and R.F., M.F.T. via certified mail.

12 P. On or about September 21, 2015, Investigator M.P. received a letter stating that  
13 respondent is withdrawing her signatures from all forms she had previously signed.  
14 She alleged that she was forced to sign them, particularly a form regarding her DEA  
15 license. Respondent alleged she was under duress when she signed the forms and that  
16 she was interviewed through intimidation tactics by the DEA.

17 Q. On or about September 21, 2015, in the Superior Court of California, County of  
18 San Diego case entitled *The People of the State of California v. Leonor Ordonez*,  
19 Case No. SCD263738, the San Diego County District Attorney's Office charged  
20 respondent with twenty (20) Felony counts, consisting of six (6) counts of Penal Code  
21 section 550(a)(5) [Insurance - Make Writing for False Claim], six (6) counts of Penal  
22 Code section 550(b)(1) [Insurance - Presenting False Information Supporting Claim],  
23 seven (7) counts of Health and Safety Code section 11173(a) [Obtaining Prescription  
24 by Fraud/Deceit], and one (1) count of Health and Safety Code section 11368  
25 [Obtaining a Narcotic by a Forged Prescription].

26 R. On or about September 22, 2015, Investigator M.P. received certified copies of  
27 the CURES Patient Activity Reports for respondent and J.G.

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1 S. On or about November 17, 2015, Investigator M.P. received a copy of a minute  
2 order reflecting a Superior Court order in respondent's criminal case. The minute  
3 order stated that respondent cannot prescribe medication until her next readiness  
4 hearing on December 14, 2015.

5 T. On or about December 7, 2015, Investigator M.P. received a copy of the  
6 certification of records for patient J.G. from Attorney Frank on behalf of respondent.  
7 The certification was signed and dated by respondent on December 7, 2015, and  
8 reported there were no records kept for J.G.

9 U. On or about December 14, 2015, in the Superior Court of California, County of  
10 San Diego case entitled *The People of the State of California v. Leonor Ordonez*,  
11 Superior Court Case No. SCD263738, respondent pled Guilty and was convicted of  
12 counts two and eighteen, violating Penal Code Section 550, subdivision (b),  
13 subdivision (1) [Insurance - Presenting False Information Supporting Claim] and  
14 Health and Safety Code section 11173, subdivision (a) [Obtaining Prescription by  
15 Fraud/Deceit].

16 V. On or about January 28, 2016, in the Superior Court of California, County of  
17 San Diego case entitled *The People of the State of California v. Leonor Ordonez*,  
18 Superior Court Case No. SCD263738, respondent was sentenced to three (3) years  
19 Formal probation and was ordered as part of probation to waive her 4th amendment  
20 right.

21 W. On or about March 9, 2016, respondent underwent a physical evaluation by Lee  
22 Ralph, M.D., who opined that respondent is physically able to safely practice  
23 medicine under the condition of respondent continuing to receive outpatient substance  
24 abuse treatment and psychiatric and psychological counseling.

25 X. On or about June 21, 2016, respondent underwent a mental evaluation from  
26 David Sheffner, M.D., who opined the following, in summary:

27 "Dr. Ordonez suffered from Opioid Use Disorder. The nature and  
28 magnitude of this disorder would render her impaired/unsafe to practice  
medicine while under the influence of the abuse of such drugs.



1           Conversely, she is currently in remission, and when substance-free, she is  
2           not impaired/unsafe to engage in the practice of medicine. The same can  
3           be said of her past alcohol abuse.

4           "Dr. Ordonez requires continued treatment/a program and objective  
5           monitoring in order to prevent re-addiction, and her ability to practice  
6           medicine safely. Her quite substantial constructive efforts in this regard  
7           and her current appreciation of her past addiction and the necessity for a  
8           long-term program are favorable prognostic signs.

9           "While Dr. Ordonez has suffered from an anxiety and depressive disorder,  
10          these symptoms have not been of the nature or magnitude to render her  
11          impaired/unsafe to practice medicine safely (she noted in 2015 that  
12          depressive symptomatology made it 'very difficult' for her to do her  
13          work, but I have no data to indicate that she did not meet such a  
14          challenge. These psychiatric symptoms are now improved; she's been  
15          receiving the indicated psychiatric treatment)."

16           Y.   On or about July 29, 2016, Dr. Sheffner provided the following opinion, in  
17           summary:

18           "Dr. Ordonez would be deemed safe to practice medicine if she continues  
19           to participate in programs to treat her addiction. Dr. Ordonez would need  
20           to provide objective confirmation that she is continuing in the programs  
21           to treat her addiction which would include monitoring and random drug  
22           testing. Dr. Ordonez's participation in these programs as well as  
23           monitoring and random drug testing will be a layer of safety which is  
24           needed for Dr. Ordonez to be considered safe to practice medicine.

25           "Dr. Ordonez has potential for re-addiction if she does not participate in  
26           the treatment programs which will make her unsafe to practice medicine.  
27           Dr. Ordonez needs to be in continued care and monitoring for a couple of  
28           years due to the potential of re-addiction. If Dr. Ordonez does not  
29           continue with the treatment programs and monitoring, Dr. Sheffner would  
30           consider Dr. Ordonez to be unsafe to practice medicine."

31           Z.   Dr. Sheffner also stated that because of the psychoactive effects of abuse of  
32           alcohol or opiates, when respondent is abusing such substances, she is not safe to  
33           practice medicine. Conversely, in Dr. Sheffner's opinion, if respondent does not  
34           suffer any other mental disorder of the nature or magnitude to compromise her ability  
35           to practice medicine safely, if she is in remission (i.e. not abusing substances), it  
36           follows that respondent is safe to practice medicine. Dr. Sheffner also added that in  
37           order for respondent to maintain remission/sobriety, respondent requires continuation  
38           of her addiction treatment program. To objectively document that she remains in

39           ///

1 remission, random drug/alcohol testing is necessary to ensure the safety of her  
2 patients.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Illegal Prescribing of Controlled Substances - Self-Prescribing)**

5 17. Respondent has further subjected her Physician's and Surgeon's Certificate No. A 82353  
6 to disciplinary action under sections 2227 and 2234, as defined by section 2237, subdivision (a), and  
7 section 2238, of the Code, in that she has illegally prescribed controlled substances by self-  
8 prescribing; as more particularly alleged in paragraphs 16(A) through 16(Z), above, which are hereby  
9 incorporated by reference and realleged as if fully set forth herein.

10 **THIRD CAUSE FOR DISCIPLINE**

11 **(Self Use of Controlled Substances)**

12 18. Respondent has further subjected her Physician's and Surgeon's Certificate No. A 82353  
13 to disciplinary action under sections 2227 and 2234, as defined by section 2239, subdivision (a), of  
14 the Code, in that she has unlawfully used a controlled substance, to wit: hydrocodone, as more  
15 particularly alleged in paragraphs 16(A) through 16(Z), above, which are hereby incorporated by  
16 reference and realleged as if fully set forth herein.

17 **FOURTH CAUSE FOR DISCIPLINE**

18 **(Dishonest and Corrupt Acts)**

19 19. Respondent has further subjected her Physician's and Surgeon's Certificate No. A 82353  
20 to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (e), of  
21 the Code, and under title 16, section 1360 of the California Code of Regulations, in that she has  
22 committed an act or acts involving dishonesty or corruption which is substantially related to the  
23 qualifications, functions, or duties of a physician and surgeon, as more particularly alleged in  
24 paragraphs 16(A) through 16(Z), above, which are hereby incorporated by reference and realleged as  
25 if fully set forth herein.

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**FIFTH CAUSE FOR DISCIPLINE**

**(Failure to Maintain Adequate and Accurate Records)**

20. Respondent has further subjected her Physician's and Surgeon's Certificate No. A 82353 to disciplinary action under sections 2227 and 2234, as defined by section 2266 of the Code, in that she has failed to maintain adequate and accurate records relating to the provision of services to her alleged patient J.G., as more particularly alleged in paragraphs 16(A) through 16(Z), above, which are hereby incorporated by reference and realleged as if fully set forth herein.

**SIXTH CAUSE FOR DISCIPLINE**

**(Unprofessional Conduct)**

21. Respondent has further subjected her Physician's and Surgeon's Certificate No. A 82353 to disciplinary action under sections 2227 and 2234, as defined by sections 2234, subdivisions (a) and (e), 2236, 2237, subdivision (a), 2238, 2239, subdivision (a), and 2242, of the Code, and under title 16, section 1360 of the California Code of Regulations, in that she has engaged in unprofessional conduct, as more particularly alleged in paragraphs 16(A) through 16(Z), above, which are hereby incorporated by reference and realleged as if fully set forth herein.

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1 PRAYER

2 WHEREFORE, complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Medical Board of California issue a decision:

4 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 82353, issued to  
5 respondent Leonor Alcaraz Ordonez, M.D.;

6 2. Revoking, suspending or denying approval of respondent Leonor Alcaraz Ordonez,  
7 M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;

8 3. Ordering respondent Leonor Alcaraz Ordonez, M.D., if placed on probation, to pay  
9 the Board the costs of probation monitoring; and

10 4. Taking such other and further action as deemed necessary and proper.

11  
12 DATED: December 23, 2016

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
State of California  
Complainant.

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